

JAN 27 2006

Atty. Dkt. No. 047630-0101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Guo et al.
Title: METHOD AND
COMPOSITION FOR
DIAGNOSIS OF
MELANOCYTIC LESIONS
Appl. No.: 09/915,746
Appl. Filing Date: July 26, 2001
Examiner: K. Canella
Art Unit: 1642

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. <u>Vanessa E. Agha</u> (Printed Name) <u>Vanessa E. Agha</u> (Signature) <u>1/27/2006</u> (Date of Deposit)

STATEMENT UNDER § 3.73(b)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Oncomax Acquisition Corp., a Delaware corporation, with its principal place of business at c/o Enterprise Partners Venture Capital, 2223 Avenida de la Playa, Suite 300, San Diego CA 92037, certifies that it is the Assignee and owner of the entire right, title, and interest in and to the above-identified patent application by virtue of the following instruments:

1. Assignment from Jing Ma to Celvax, Inc. dated 12/31/2003 (attached as Exhibit A);
2. Assignment from Yajun Guo (and Jing Ma) to Celvax, Inc., dated 09/03/2004 (attached as exhibit B);
3. Assignment from Celvax, Inc. to Symbigene Acquisition Co. Inc., dated 12/31/2003 (attached as Exhibit C);
4. Assignment from Celvax Inc. to Symbigene Acquisition Co. Inc., dated 09/03/04 (attached as Exhibit D);
5. State of California certificate of name change from Symbigene Acquisition Co. Inc., to

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Oncomax, Inc.; and

6. Transfer of assets from Oncomax Inc., to Oncomax Acquisition Corp.

The assignments from Jing Ma to Celvax, Inc., and from Yajun Guo to Celvax, Inc. both refer to

[n]ew and useful improvements in ANTIBODIES
SPECIFIC FOR CANCER ASSOCIATED ANTIGEN
SM5-1 AND USES THEREOF, set forth in an application
for Letters Patent of the United States, bearing Serial No.
10/722,849 and filed on November 26, 2003 . . .

and to assigning "the entire right title and interest in and to the above-mentioned inventions" to Celvax, Inc. It is submitted that the assignment of "inventions" in serial no. 10/722/849 includes the assignments of inventions in serial no. 09/915,746 by virtue of the fact that the deposited murine SM5-1 antibody and similar such antibodies including humanized or human antibodies that react with the SM5-1 antigen and the antigen are disclosed as inventions in serial no. 10/722/849 (see e.g., paragraphs 009-0031, 0136-0138 and claims 7 and 11).

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to sign this certificate on behalf of the assignee.

Executed this 24th day of January, 2006.

Oncomax Acquisition Corp.

By:

Krisztina Zsebo
(Signature)

Krisztina Zsebo
(Printed Name)

CEO
(Title)

858-731-0240
(Telephone No.)